

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CECELIA ROBERTS WEBB,)
DARRON YATES, ROBERT EUTZ,)
ANTHONY LEMICY, KRYSTAL BANKS,)
and FRANK WILLIAMS, individually and on)
behalf of all others similarly situated,)

Plaintiff)

vs.)

THE CITY OF MAPLEWOOD, MISSOURI)

Defendant)

Cause No.: 4:16-cv-1703-CDP

DEFENDANT'S NOTICE OF INTERLOCUTORY APPEAL

COMES NOW Defendant The City of Maplewood, Missouri, by and through counsel, and gives notice that it hereby appeals this Court's denial of sovereign immunity, judicial immunity, quasi-judicial immunity, and prosecutorial immunity in its interlocutory Memorandum and Order of June 5, 2017 (Doc. 35 at 13-15), along with all matters to which pendant appellate jurisdiction may attach, to the United States Court of Appeals for the Eighth Circuit. *See Puerto Rico Aqueduct and Sewer Authority v. Metcalf & Eddy, Inc.*, 506 U.S. 139, 141 (1993) (ruling that a party may immediately appeal an interlocutory order denying sovereign immunity); *VanHorn v. Oelschlager*, 502 F.3d 775, 778 (8th Cir. 2007) (ruling that a party may immediately appeal an interlocutory order denying absolute immunity – of which judicial immunity, quasi-judicial immunity, and prosecutorial immunity are subsets); *Stewart v. Wagner*, 836 F.3d 978, 981 (8th Cir. 2016) (ruling that pendant appellate jurisdiction attaches to matters not otherwise appealable so long as those matters are “inextricably intertwined” with the collateral issue properly appealed, or

where review of those matters is necessary to guarantee meaning review of the issue properly appealed).

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was filed with the Court's electronic filing system, with notice of case activity to be generated and sent electronically by the Clerk of said Court on the 16th day of June, 2017, to the following:

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